

ACR #3 – Allow a permittee who had their Unit 20D bison permit revoked for regulatory year 2024, to have the permit transferred to regulatory year 2026 upon request, or remove the lifetime and ten-year loss of eligibility for those hunters to apply.

SUBMITTED BY: Alaska Department of Fish and Game

CITE THE REGULATION THAT WILL BE CHANGED IF THIS ACR IS HEARD.

Alaska Administrative Code Number 5 AAC: 92.050. Required permit hunt conditions and procedures.

WHAT IS THE PROBLEM YOU WOULD LIKE THE BOARD TO ADDRESS? STATE IN DETAIL THE NATURE OF THE CURRENT PROBLEM.

The department manages the Delta Bison Herd within a narrow range of abundance in an attempt to avoid conflicts with agriculture and maintain a viable and sustainable population. The department adjusts permits and bag limits annually in an attempt to keep the population at approximately 360 adults, post hunt. The department assumes that natural mortality is going to be very low in this population, and when natural mortality events occur, as in the historic winter of 2021/2022, permit numbers or hunt conditions must be significantly changed. The department is often unaware of the degree of mortality until after permits have been awarded. A mortality event in the spring of 2024 also led to a situation where too many permits were awarded, running a risk of unsustainable harvest.

WHAT SOLUTION DO YOU PREFER?

After conducting post-calving surveys in the summer of 2024, the department recognized the need to reduce the overall number of permits, and to change the bag limit to bulls only. Chances of winning a Delta bison permit are extremely low, existing regulations allow residents to be eligible for a permit only once every ten years, and existing regulations allow nonresidents to be eligible for a permit once per lifetime. Given these restrictions, the department would like the board to consider transferring any DI403 and DI404 permits awarded for the 2024 regulatory year that were subsequently taken away, to be transferred to regulatory year 2026. This would allow those who had been announced as winners for regulatory year 2024 to hunt in regulatory year 2026.

Absent the transfer of permits across regulatory years, the department would like the board to consider lifting the lifetime and 10-year loss of eligibility for those hunters that were awarded permits that were subsequently revoked, allowing those hunters to begin applying again.

5 AAC 92.050(a)(6) would therefore read:

(E) a permittee who had their Unit 20(D) bison permit revoked for regulatory year 2024 may, upon request, have the permit transferred to regulatory year 2026.

Also offered for consideration, adding a new sub-subparagraph to 5 AAC 92.050(a)(4)(H):

5 AAC 92.050(a)(4)

(H) a resident who is a successful applicant for a bison drawing permit hunt is ineligible to apply for another bison drawing permit for 10 years; a nonresident who is a successful applicant for a bison drawing permit hunt is ineligible to apply for another bison drawing permit;

(i) however, a resident who had their Unit 20(D) bison permit revoked for regulatory year 2024 is eligible to apply for another bison drawing permit for regulatory year 2026; and a nonresident who had their Unit 20(D) bison permit revoked for regulatory year 2024 is eligible to apply for another bison drawing permit.

STATE IN DETAIL HOW THIS ACR MEETS THE FOLLOWING CRITERIA:

1) To correct an error in regulation.

N/A

2) To correct an effect of a regulation that was unforeseen when a regulation was adopted.

This regulation covers the vast majority of permit issuance scenarios, however due to the timing of bison surveys, the department's attempts to manage within a narrow window of abundance for this population, and the early notification of permit winners, there are occasionally scenarios where the department must retract permits or eliminate a hunt entirely. Applicants are warned that hunts could be eliminated, and that application fees may not be refunded. The Delta bison hunt is unique in that it is highly sought after, and bison hunts in general have a lifetime or 10-year moratorium (depending upon residency) on re-applying after winning, further emphasizing how unique it is to win such a permit, and how unusual it is to win and then lose such a permit.

3) Does the request identify a biological concern for the population or a threat to meeting objectives for the population?

By reducing the overall number of permitted hunters the department has addressed the conservation concern.

4) Does the request identify an unforeseen, unexpected event or effect that would otherwise restrict or reduce a reasonable opportunity for customary and traditional wildlife uses, as defined in AS 16.05.258(f)?

N/A

5) Does the request identify an unforeseen, unexpected resource situation where a biologically allowable resource harvest would be precluded by delayed regulatory action and such delay would be significantly burdensome because the resource would be unavailable in the future?

N/A

WHAT WILL HAPPEN IF THIS PROBLEM IS NOT SOLVED PRIOR TO THE REGULAR CYCLE?

Permit winners that have had their permits retracted will be unable to hunt, and may not have the chance again, even if they are allowed to reapply. Previous attempts to adjust hunt conditions to allow all winners to hunt have resulted in low success rates, and short hunt windows. Many hunters expressed a preference to simply hunt in a different year, rather than have the hunt conditions drastically altered. Although it does not address the loss of opportunity in 2024, the department is considering advertising a more conservative number of permits in the drawing supplement, which may mitigate this issue moving forward.

STATE WHY YOUR ACR IS NOT PREDOMINANTLY ALLOCATIVE.

Although this change does address allocation of permits, it is not associated with particular user groups, other than current and future winners.

IF THIS REQUEST IS ALLOCATIVE, STATE THE NEW INFORMATION THAT COMPELS THE BOARD TO CONSIDER AN ALLOCATIVE PROPOSAL OUTSIDE OF THE REGULAR CYCLE.

This is a novel circumstance, that requires timely action, if permits are to be deferred to a later regulatory year.

STATE YOUR INVOLVEMENT IN THE ISSUE THAT IS THE SUBJECT OF THIS ACR.

The department administers this hunt.

STATE WHETHER THIS ACR HAS BEEN CONSIDERED BEFORE, EITHER AS A PROPOSAL OR AS AN ACR, AND IF SO, DURING WHICH BOARD OF GAME MEETING.

This ACR has not been considered before, although similar ACR's have been considered in the past (i.e. transferring bear permits awarded during the Covid-19 pandemic.)